IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
Notice of Motion No.1360 of 2006
In
Central Excise Appeal No.111 of 2005

M/s.Uni Deritend Ltd. ... Applicant
v/s.
The Commissioner of Central
Excise, Nagpur. ... . Respondents

Mr.V. Mishra i/by M/s.V. Mishra & Co. for applicant.
Mr.Y.S.Bhate for respondents.

CORAM : H.L. GOKHALE &
J.P. DEVADHAR, JJ.

DATED : 27th September 2006

P.C. :

1. Heard Mr.Mishra in support of this Motion which seeks to recall the order dated 10th January 2006 passed by a Division Bench in which one of us (Devadhar, J.) was a member. By that order the Appeal was dismissed for default. A supporting affidavit has been filed stating that the Advocates of the applicant were out of station and that is why nobody was present to represent the applicant. Mr.Bhate appearing for the respondents leaves it to the Court to pass appropriate orders.

2. In the circumstances, we grant this Motion. The order dated 10th January 2006

dismissing the Appeal for default will stand recalled and Appeal No.111 of 2005 will stand restored to the file. Appeal now be listed for admission on 4th October 2006. Motion disposed of.

(H.L. GOKHALE, J.)

(J.P. DEVADHAR, J.)